

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:06CR3038
v.)	
)	
MCARTHUR JOHNVELL HIGGINS,)	
)	MEMORANDUM AND ORDER
Defendant.)	
_____)	

Defendant has moved for release to treatment. However, the motion is not accompanied by a certificate of service. In addition, it is not supported by facts showing the defendant is eligible for and has been accepted into a particular program. In addition, defendant's counsel has now been given leave to withdraw. In light of all of this, I shall deny the motion, without prejudice to its refiling by defendant's new attorney.

IT THEREFORE HEREBY IS ORDERED,

The motion, filing 20, is denied without prejudice.

DATED this 30th day of May, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge